

**IN THE UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF WEST  
VIRGINIA AT HUNTINGTON**

**TIMOTHY R. JONES and JANIE COLE,**

**Plaintiffs,**

**v.**

**Civil Action No. 3:19-CV-00618**

**THE BOARD OF EDUCATION OF  
PUTNAM COUNTY, WEST VIRGINIA,  
JOHN HUDSON, SHARLA GRIFFITH,  
CANDI HATFIELD, ALICIA COEY,  
a/k/a ALICIA POWELL and EDDIE  
STARCHER,**

**Defendants.**

**DEFENDANTS PUTNAM COUNTY BOARD OF EDUCATION, JOHN HUDSON,  
SHARLA GRIFFITH, AND CANDI HATFIELD'S MOTION TO DISMISS**

**NOW COME** Defendants Putnam County Board of Education ("PCBOE"), Superintendent John Hudson, Director of Exceptional Education Sharla Griffith, and Winfield Elementary Principal Candi Hatfield, by and through counsel, David J. Mincer, Jeffrey M. Carder, and the law firm of Bailey & Wyant, PLLC, pursuant to Rule 12(b)(6) of the *Federal Rules of Civil Procedure* and the applicable law referenced herein, and hereby move this Honorable Court for entry of an Order dismissing all claims asserted against these Defendants in the above captioned matter, with prejudice, due to Plaintiffs' failure to state a claim for which relief may be granted. The basis for Defendants' Motion is set forth more fully in the Memorandum in Support of Defendants Putnam County Board of Education, John Hudson, Sharla Griffith, and Candi Hatfield's Motion to Dismiss, which is filed contemporaneously with this Motion.

**The Board of Education of Putnam County,  
West Virginia, John Hudson, Sharla  
Griffith, and Candi Hatfield,**

By Counsel,

/s/ David J. Mincer  
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of foregoing "DEFENDANTS PUTNAM COUNTY BOARD OF EDUCATION, JOHN HUDSON, SHARLA GRIFFITH, AND CANDI HATFIELD'S MOTION TO DISMISS" was served upon the following parties through the Court's Electronic Case Filing (ECF) system on this day, Friday, September 20, 2019:

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/s/ David J. Mincer